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EPA suit may hamper Elyria

By Carol Matuszewski
Journal Staff Writer

ELYRIA — The U.S. Environmental Protection Agency (EPA) lawsuit against an Elyria waste facility may hamper an earlier settlement between the city and the firm.

The city settled with Chemical Recovery Systems, Inc., 142 Locust St., early last month. The agreement stated that the facility would clean up its operation by May 1981, leave the city completely by December and move to its facility in Michigan.

Elyria City Prosecutor Jon Rosenbaum said the EPA lawsuit, which was filed in U.S. District Court Tuesday, might leave the city to clean up the site if the EPA suit results in a plant shut-down.

"It worked out for everyone's benefit for them to move," Rosenbaum said. "They have a modern facility in Michigan where they can dispose of the materials. But if they went bankrupt tomorrow, there's no way for the city to clean up those drums." He estimated the clean-up cost to be at least \$300,000.

The EPA suit seeks to force the company to clean up its waste materials, some which are believed to be toxic. It says the materials are leaking into the Black River causing contamination of soil along the river banks.

"This is going to be a three- to four-year lawsuit. It will collapse the corporation," Rosenbaum said.

The city has filed two suits against the company in the last two years. The suits claimed the company posed a fire and environmental threat because of leaking barrels. In June, Rosenbaum and health department officials closed down two of the firm's storage tanks after obtaining a search warrant.

The matter was scheduled for a trial in Elyria Municipal Court on Sept. 30, but was resolved before that time.

"The company has been pretty reasonable with me," Rosenbaum said. "They realize they have to go and they want to go."